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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff,

v.

Wendal Allen Delong,

Defendant.

Case No. 2:23-mj-00092-DJA

Stipulation and ~~Proposed~~ Order

Stipulation

Mr. Delong was charged by complaint on February 3, 2023, with two counts:
(1) Operating a Motor Vehicle while Under the Influence of Drugs (a violation of 36
C.F.R. § 4.23(a)(1)); and (2) Driving with a Revoked Driver's License (a violation of 36
C.F.R. § 4.2(b), incorporating NRS § 483.560(1)). (ECF No. 1.)

Mr. Delong entered a plea agreement (ECF No. 18) on November 8, 2023.
Under that agreement, Mr. Delong pleaded guilty to Count One. (ECF No. 17.) Count
Two was dismissed. (*Id.*) Mr. Delong was sentenced on Count One as follows:
“Defendant is sentenced to unsupervised probation for one year; \$800.00 fine and
\$10.00 penalty assessment; attend and complete lower court DUI course and victim

1 impact panel; complete an eight (8) hour online alcohol awareness course; and
2 restricted from Lake Mead National Recreational Area for six months. If the
3 defendant successfully completes his obligations within the first six months of
4 unsupervised probation, the court will allow the defendant to withdraw his guilty
5 plea to count one and the government will move to amend count one to reckless
6 driving, see plea agreement.” (*Id.*)

7 Mr. Delong now has completed the special conditions of his unsupervised
8 probation. Accordingly, the parties agree that Count One should be amended to
9 Reckless Driving, and the status conference set for June 7, 2024, at 11:30 AM should
10 be vacated.

11 Dated May 31, 2024.

12 Respectfully submitted,

13
14 Rene L. Valladares
15 Federal Public Defender

Jason Frierson
United States Attorney

16 /s/ Rick Mula

/s/ Randolph J. St. Clair

17 Rick Mula
18 Assistant Federal Public Defender

Randolph J. St. Clair
Assistant United States Attorney

Order

The Court finds that Mr. Delong has completed the special conditions of his unsupervised probation in accordance with his plea agreement and sentence.

IT IS THEREFORE ORDERED that Mr. Delong is permitted to withdraw his guilty plea to Count One: Operating a Motor Vehicle Under the Influence.

IT IS FURTHER ORDERED that the Court, consistent with the plea agreement and sentence, enters a plea of guilty to Amended Count One: Reckless Driving.

IT IS FURTHER ORDERED that the status conference set for June 7, 2024, at 11:30 AM is vacated.

DATED this 3rd day of June, 2024.


UNITED STATES MAGISTRATE JUDGE